

Public Education Commission Governing Body Member Change Amendment Form

The Charter Contract was entered into by and between the New Mexico Public Education Commission and [NEW MEXIO SCHOOL FOR THE ARTS], hereafter "The School", effective [1ST] of [JULY], [2019]. The School was approved for a [FIVE-YEAR] Charter Contract.

NUMBER OF MEMBERS REQUIRED UNDER YOUR SCHOOL'S BYLAWS: 5

NUMBER OF CURRENTLY SEATED GOVERNING BOARD MEMBERS: 7

☐ **RESIGNATION**

EFFECTIVE DATE OF RESIGNATION, AS PROVIDED ON THE WRITTEN NOTICE FROM THE RESIGNING BOARD MEMBER:

NAME OF INDIVIDUAL RESIGNING:

☐ **REMOVAL**

DATE OF REMOVAL:

NAME OF INDIVIDUAL BEING REMOVED:

REASON FOR REMOVAL:

DESIGNATION OF NEW BOARD MEMBER TO ☐ **AN EXISTING POSITION** OR ☒ **A NEW POSITION**

EFFECTIVE DATE OF APPOINTMENT, AS PROVIDED IN WRITTEN NOTICE FROM THE BOARD: NOVEMBER 16, 2022

NAME OF INDIVIDUAL BEING DESIGNATED: DOLORES "DODDIE" ESPINOSA DE ORTEGA

HOME ADDRESS: 8015 LAVA REACH AVE NW, ALBUQUERQUE NM 87120

PHONE NUMBER: 505-681-1759

EMAIL ADDRESS: DESPINOSA@NMSCHOOLFORTHEARTS.ORG

NAME OF BOARD MEMBER BEING REPLACED: N/A

☐ **REQUEST FOR EXTENSION:**

☐ **VOTE NOT TO REPLACE MEMBER:**

Submit this form and all supporting documents to charter.schools@state.nm.us

The School's Governing Body Member Change Amendment is hereby submitted by [ERIC CRITES] on [NOVEMBER 30, 2022], and affirms the school meets the following eligibility criteria:

- ☒ Amendment must be submitted to the PEC within 30 days of change in membership; and
- ☒ The school's governing board is in compliance with all reporting requirements.

Eric Crites

Charter School Representative Signature

11/30/2022

Date

The School's Governing Body Member, or Charter Representative Change Amendment was:

☐ Approved

☐ Denied

Chair, Public Education Commission

Date

DRAFT

NEW MEXICO SCHOOL FOR THE ARTS
Governing Council Meeting
Wednesday November 16, 2022 from 3:00 pm to 5:00 pm
New Mexico School for the Arts—High School
500 Montezuma Ave., Santa Fe, NM 87501
Meeting Minutes

Join Zoom Meeting
<https://zoom.us/j/95509397432>

NMSA provides access to a rigorous mastery arts and academic high school education for youth with passion and aptitude in the arts, leading to post-secondary learning, careers in the arts, and lives that contribute to society.

1. Call to Order Dr. Michael Kaplan

Dr. Michael Kaplan called the meeting to order at 3:01 pm.

2. Reading of Mission Statement Dr. Michael Kaplan

Dr. Michael Kaplan read the Mission Statement to the Council.

3. Governing Council Attendance as Indicated on Sign-In Sheet & Roll Call Dr. Michael Kaplan

NMSA Council Members Present:

Mr. Bill Beacham, Chair - Excused
Dr. Michael Kaplan, Vice Chair
Ms. Trina Raper
Ms. Paula Tackett, Secretary
Dr. Cynthia Nava - Excused
Mrs. Chelamia Quintana
Ms. Doddie Espinosa de Ortega

NMSA High School Staff:

Mr. Eric Crites, Head of School
Ms. Elizabeth Romero, Business Manager
Mrs. Marie Tapia, Asst. Business Manager
Ms. Denise Hinson, Principal

NMSA Art Institute Staff:

Mrs. Cindy Montoya, President
Ms. Bernadette Pena, Co-Dance Chair
Mr. Fernando Ramos, Co-Dance Chair

Public:

4. Discussion and Possible Action on Agenda Dr. Michael Kaplan

Dr. Michael Kaplan presented the Agenda and said he would entertain a motion on this item.

Ms. Paula Tackett moved to approve the Agenda. Ms. Trina Raper seconded the motion. Dr. Michael Kaplan asked if there was any discussion on the motion. After a brief discussion it was determined Agenda Item 8, Presentation on Dance Department by Co-chairs Pena and Ramos, was moved to Agenda Item 6. Ms. Paula Tackett amended her motion to approve the Agenda as corrected. Ms. Trina Raper seconded the motion.

The Council unanimously approved the motion.

The motion carried.

5. Public Forum Dr. Michael Kaplan

Dr. Michael Kaplan asked if there were any members of the Public present. There was no one from the Public in attendance.

6. Presentation on Dance Department by Co-chairs Pena and Ramos

Bernadette Pena & Fernando Ramos

Co-chair Bernadette Pena started by talking about the dance department's latest performances. The dance department is moving towards project-based learning performances that require research. They are learning different styles of dance that incorporate discipline, diversity, and versatility. Both co-chairs are new to the NMSA's dance department but come with strong backgrounds in dance. Bernadette Pena started teaching physical education at NMSA four years ago. Before that she had over 17 years of experience teaching dance and theater. She explained she is enjoying her new position. Co-chair Fernando Ramos has been in New Mexico for close to two months. He moved to New Mexico from Puerto Rico. He started dancing when he was 16. He received a bachelor's degree in Tennessee then he moved back to Puerto Rico. He trained in contemporary and ballet dance styles. They are not only focusing on teaching students to dance but also giving students the opportunity to train for college auditions. They are trying to teach students about the expectations for applying to college online and in person. They thanked the Governing Council for their time and invited the Council to visit the dance department anytime.

7. Discussion and Possible Action for Adding Doddie Espinosa de Ortega as A Member of The Governance Council For 2022-2025
Dr. Michael Kaplan

Dr. Michael Kaplan presented the discussion and possible action for adding Doddie Espinosa de Ortega as a Member of the Governance Council for 2022-2025 and said he would entertain a motion on this item.

Ms. Paula Tackett moved to approve adding Doddie Espinosa de Ortega as a Member of the Governance Council for 2022-2025. Ms. Trina Raper seconded the motion. Dr. Michael Kaplan asked if there was any further discussion needed on the motion. A discussion followed.

The Council Unanimously Approved the Motion

The motion carried.

8. Discussion and Possible Action on Meeting Minutes from October 19, 2022

Dr. Michael Kaplan

Dr. Michael Kaplan presented the Meeting Minutes from October 19, 2022 for discussion and possible action and said he would entertain a motion on this item.

Ms. Chelamia Quintana moved to approve the Meeting Minutes for October 19, 2022. Ms. Paula Tackett seconded the motion. Dr. Michael Kaplan asked if there was any further discussion needed on the motion. After a brief discussion it was determined that no corrections were needed.

The Council Unanimously Approved the Motion

The motion carried.

9. Master Calendar Review

Mr. Eric Crites

Mr. Eric Crites presented the master calendar for the months of November and December. He informed the Governing Council about several upcoming events including:

- Creative Writing's 11th Literary Event
- Visual Arts Guest Artists, Nina Elder 11/17/22
- Collaboration Day
- Thanksgiving Break
- Music Lab Showcase
- Musical Theatre Scenes Show
- Music Liederabend (Vocal Department)
- Music Winter Concert
- Fall Student Council Dance

- NMSA Choir works with Santa Fe Desert Choir
- Poetry Slam
- Finals
- Winter Break

10. Business Manager's Report

Liza Romero

A. Discussion and Possible Action on BARS, Payroll Vouchers, Accounts Payable Vouchers, and Bank Reconciliations for October 2022.

Ms. Elizabeth Romero, the Business manager presented the report on the BARS, Payroll Vouchers, and Bank Reconciliations for October 2022. The Accounts Payable Vouchers for October 2022 were not reviewed. They will be reviewed for the December Governing Council meeting.

Dr. Michael Kaplan said he would entertain a motion on this item.

Ms. Trina Raper made a motion to approve the BARS, Payroll Vouchers, and Bank Reconciliations for October 2022. Ms. Paula Tackett seconded the motion.

A discussion followed. The finance committee reported that the finance committee met on November 16, 2022 and reviewed the following documents:

Bank Reconciliation Report - Money Market - 2022 10
 Bank Reconciliation Report – Operational – 2022 10
 NMSA - Historical Revenue for Capital Funds 10-31-22
 Report - Balance Sheet – 2022 10
 Report - Expenditure - 2022 10
 Report - Revenue – 2022 10

Payroll 7

Payroll 8

BAR 2223-0020 - IB - Fund 24349	Initial Budget
BAR 2223-0021 - I - Fund 31400	Increase
BAR 2223-0022 - M - Fund 24106	Maintenance
BAR 2223-0023 - M - Fund 31900	Maintenance
BAR 2223-0024 - M - Fund 31701	Maintenance
BAR 2223-0025 - M - Fund 11000	Maintenance
BAR 2223-0026 - T - Fund 11000	Transfer

The finance committee did not detect any irregularities.

The Council Unanimously Approved the Motion.

B. Financial Statement Reports – Financial Analysis

Ms. Elizabeth Romero guided the Council through the October check and non-check reports.

C. Remaining Balances on all capital Outlay

Ms. Elizabeth Romero, prepared a report on the remaining balances on Capital Outlay which is included in this packet.

11. Discussion and Possible Action on Purchases over \$5,000

Eric Crites

Mr. Eric Crites presented the Purchases over \$5,000 for discussion and possible action. He discussed the following necessary Purchases over \$5,000 and requested Governing Council approval on the Purchases:

Apple	Amount	\$7,672.00
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Dr. Michael Kaplan said he would entertain a motion on this item.

Ms. Paula Tackett made a motion to approve the Purchases over \$5,000. Ms. Doddie Espionsa de Ortega seconded the motion. Dr. Michael Kaplan asked if there was any further discussion needed on the motion. A discussion followed.

The Council Unanimously Approved the Motion

12.	Discussion and Possible Action on Amending the Lease Annual Base Rent Based on the Lease Assistance Award	Eric Crites
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Mr. Eric Crites presented the discussion and possible action on Amending the Lease Annual Base Rent Based on the Lease Assistance Award.

Dr. Michael Kaplan said he would entertain a motion on this item.

Ms. Paula Tackett made a motion to approve the change in the lease amount. Ms. Trina Raper seconded the motion. Dr. Michael Kaplan asked if there was any further discussion needed on the motion. A discussion followed.

The Council Unanimously Approved the Motion

13.	Discussion and possible action on State Seal of Bilingualism-Biliteracy Policy	Eric Crites
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Mr. Eric Crites informed the Governing Council the State Seal of Bilingualism-Biliteracy Policy was not ready for the Council's review.

Mrs. Chelamia Quintana made a motion to table the discussion and possible action on the State Seal of Bilingualism-Biliteracy Policy. Ms. Trina Raper seconded the motion.

The Council Unanimously Approved the Motion

The motion carried.

14.	Discussion on NMSA Mission and Vision Statements and Core Values	Denise Hinson
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Ms. Denise Hinson started the discussion by presenting the top three core values that NMSA's staff selected during a recent staff meeting. The top three values are creativity, community, and growth/mindset. Respect was also highly rated. She explained, community and respect were debated among staff. She plans to propose a new diagram that will bring respect back into the top three with community at the center of all three for the next staff meeting so staff can then define and break down the core values.

15.	Discussion on Land Acknowledgement	Cindy Montoya
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Mrs. Cindy Montoya presented the discussion on the Land Acknowledgement. She reviewed the land acknowledgement from last year with the Women of Color Collective. It is very simple. Jolene Vigil, Cultural Liaison, would like to work on the land acknowledgement with NMSA's indigenous students and tribal elders. They would like to emphasize commitment and honor in the new land acknowledgment.

16.	Discussion on Governing Council Affidavits and Assurances for FY23	Marie Tapia
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Mrs. Marie Tapia gave each Governing Council Member an affidavit for SY22-23 that must be notarized. Dr. Michael Kaplan, Ms. Trina Raper, and Mrs. Chelamia Quintana have completed their affidavits for the school year and the remaining Council members

will make arrangements to have theirs notarized.

17. Discussion on Process for Annual Policy Review

Eric Crites

Mr. Eric Crites lead the discussion on the process for the annual policy review. He asked the Governing Council for recommendations on how to handle the process. The Council suggested having the policy committee review a number of policies monthly and then presenting the reviewed policies to the Council during their next scheduled meeting for discussion and possible action.

18. Status of Phase II Construction

Paula Tackett

Ms. Paula Tackett presented the latest designs to the Governing Council. Several changes to the design have been made based on feedback from the Historic Design Review Committee. Another meeting is scheduled with the city and construction crews are set to begin excavation and ground work.

19. Discussion on New Business for Next Governance Council Meeting

Eric Crites

The Governing Council would like to see the following for the next Governing Council Meeting.

- Annual Policy Review
- A Student Board Member
- Art Department Presentation
- Staff/Student Core Value Update
- Student Discussion Item

20. Head of School Report

Eric Crites

- a. Kudos
- b. School Year Updates
- c. Legislative/PED/PEC Updates
- d. Culturally & Linguistically Responsive Instruction
- e. Safety
- f. Staffing

Mr. Eric Crites prepared a report which is included in this packet.

21. Admissions Report

Cindy Montoya

Mrs. Cindy Montoya reported 103 students have applied to date, in comparison to 35 applicants by 11/16/21. She thanked Fred Graham, Sativa Cruz, and Shayla Patterson for the improved application rates. A report of the applicant demographic breakdown is included with this packet.

22. President's Report

Cindy Montoya

Mrs. Cindy Montoya reported the following:

- NMSA-Art Institute is hiring a Digital Media Instructor
- NMSA-Art Institute is continuing to work on the strategic plan
- NMSA has received two grants, one for math and one for science
- NMSA-Art Institute Governing Board meeting is scheduled for 12/13/22

23. Executive Session

Dr. Michael Kaplan

- a. Personnel
- b. Facilities

Dr. Michael Kaplan stated: We are now going to leave the general meeting to go into an Executive Session pursuant to the Open Meetings Act, section 10-15-1H(2) for limited Personnel matters and section 10-15-1H(8), for discussion of matters dealing with real property. Due to virtual meeting technological issues, we will be adjourning this meeting at the end of the executive session.

Dr. Michael Kaplan entertained a motion to that effect.

Ms. Trina Raper made a motion to close the meeting pursuant to the Open Meetings Act, section 10-15-1H(2) for limited Personnel matters and section 10-15-1H(8), for discussion of matters dealing with real property. Ms. Paula Tackett seconded the motion.

The Council unanimously approved the motion.

The Governing Council moved into Executive Session at 4:57 pm in order to discuss Personnel and Facilities.

Discussion on limited Personnel and acquisition of real property being discussed in Closed Session concluded at 5:15 pm.

Ms. Paula Tackett made a motion to go out of Closed Session with no action taken on limited Personnel matters or matters dealing with real property. Ms. Doddie Espinosa de Ortega seconded the motion.

The Council Unanimously Approved the Motion

24. **Adjournment**

Dr. Michael Kaplan

Ms. Trina Raper made a motion to adjourn the meeting. Ms. Chelamia Quintana seconded the motion. No discussion needed on the motion.

The Council Unanimously Approved the Motion

Dr. Michael Kaplan declared the meeting adjourned at 5:16 pm.

Mrs. Marie Tapia, Assistant Business Manager/Date Ms. Paula Tackett, Governing Council, Secretary/Date

ASSURANCES

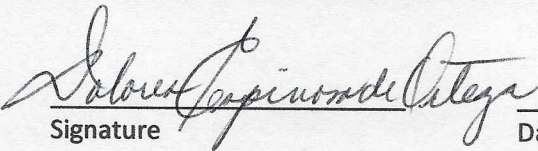
My name is Dolores Espinosa de Ortega and I reside in Albuquerque, New Mexico. I am a member of the governing body for New Mexico School for the Arts, a charter school which is located at_500 Montezuma, Santa Fe, New Mexico. I assure that in my capacity as a member of the governing body, the New Mexico School for the Arts complies with all applicable federal and state laws governing the organizational, programmatic, and financial requirements applicable to charter schools, including:

1. The CHARTER SCHOOL'S admission processes are in compliance with Sections 22-2-4(A)-(D) and 22-8B-4.1 NMSA 1978.
2. The CHARTER SCHOOL'S admission process do not discriminate against anyone regarding race, color, age, religion, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or mental disability, or serious medical condition.
3. The CHARTER SCHOOL is a nonsectarian and non-religious public school.
4. Except as otherwise provided in Section 22-12-5(C) NMSA 1978 the Public School Code, the CHARTER SCHOOL does not charge tuition or have admission requirements.
5. The CHARTER SCHOOL complies with all state and federal health and safety requirements applicable to public schools, complies with Sections 22-8B-4.2(A), (C), and (D) NMSA 1978, and must produce an E-Occupancy certificate for all school facilities.
6. The governing body does not and will not contract with a for-profit entity for the management of the CHARTER SCHOOL.
7. The CHARTER SCHOOL complies with all applicable state and federal laws and rules related to identifying and providing special education services.
8. The CHARTER SCHOOL complies with provisions regarding public property identified in the Public School Code, the New Mexico Procurement Code, and the New Mexico Prohibited Sales Act, the Internal Revenue Code, and other applicable federal and state regulations.
9. The CHARTER SCHOOL ensures that criminal background checks are conducted on all employees and applicable reporting is completed in accordance with Section 22-10A-5 NMSA 1978.
10. The CHARTER SCHOOL ensures that it complies with state regulations regarding the use of volunteers set out in Section 6. 50.18 NMAC.
11. The CHARTER SCHOOL complies with the Age Discrimination Act of 1975, Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act.
12. The CHARTER SCHOOL provides equitable access to and participation in its federally assisted program for students, teachers, and other program beneficiaries with special needs.
13. Meetings of the CHARTER SCHOOL Governing Body comply with the New Mexico Open Meetings Act, Sections 10-15-1 et seq., NMSA 1978 and the Inspection of Public Records Act, Section 14-2-1 et seq., NMSA 1978.

14. The CHARTER SCHOOL complies with all requirements of The Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 CFR Part 99.
15. The CHARTER SCHOOL has and will adopt all policies and procedures required by the Public School Code, the New Mexico Administrative Code, and the Public Education Commission.
16. The Governing Body or head administrator of the CHARTER SCHOOL recognizes and works with employee labor representatives, if any.
17. The CHARTER SCHOOL has and will develop personnel policies that comply with all applicable federal and state labor laws, regulations and rules implementing them.
18. The CHARTER SCHOOL had and will develop a curriculum that is aligned to the New Mexico State Standards found in Title 6 Chapter 29 of the New Mexico Administrative Code, as amended.

Dolores Espinosa de Ortega

Printed Name

 11-21-22.

Signature

Date

AFFIDAVIT OF GOVERNING BODY MEMBER

STATE OF NEW MEXICO)

COUNTY OF)

1. Dolores Espinosa de Ortega, after being duly sworn, state:

1. My name is Dolores Espinosa de Ortega and I reside in Albuquerque, New Mexico.
2. I am a member of the governing body of the New Mexico School for the Arts in Santa Fe, New Mexico.
3. I attest that I am currently not a current governing body member of any other charter school authorized in the state of New Mexico.
4. I have never been a governing body member of a charter school that was suspended or failed to receive or maintain their board of finance designation.
5. I understand that as a member of the [insert name of school]'s governing body, I am entrusted with oversight of expenditure of public funds in accordance with all applicable laws, regulations and rules, including but without limitation any laws or rules pertaining to conflicts of interest, public school finance, and procurement.

Dolores Espinosa de Ortega
[Signature]

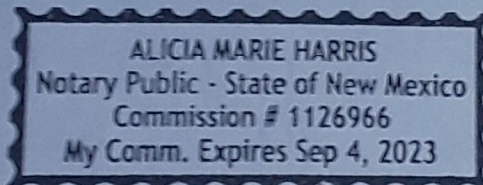
Dolores Espinosa de Ortega
[Print]

12-6-22
Date

VERIFICATION

The forgoing Affidavit of Governing Body Member was subscribed and sworn to before me, this 6 day of December, 2022.

[Notary Seal:]



[Signature]

NOTARY PUBLIC

My commission expires: 9/4, 2023.

STATEMENT OF GOVERNING BODY TO CONSULT WITH P

We, the undersigned, make up the governing body of the New Mexico School for the Arts, located in Santa Fe, New Mexico.

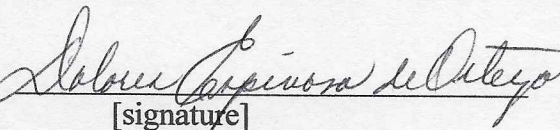
In accordance with 6.80.4.16 NMAC, we agree to consult with the New Mexico Public Education Department on any matter not covered by the manual of accounting and budgeting before taking any action related to funds held as a board of finance.

We make this statement as part of New Mexico School for the Arts' application to the Public Education Commission for status as a board of finance under 6.80.4.16 NMAC.

We understand that we must retain or hire a Licensed School Business Manager as soon as financial feasible and, thereafter, notify the New Mexico Public Education Commission within 30 days of hiring and/or changing in a Licensed School Business Manager for the school, and a new, signed "Affidavit of Financial Custodian" must be submitted.

We understand that we must submit an Affidavit of Governing Body Member to the Public Education Commission within 60 days of a change in membership of our governing body.

THE FOLLOWING MEMBERS OF THE NEW MEXICO SCHOOL FOR THE ARTS GIVE THE FOREGOING STATEMENT THIS 21 DAY OF November, 2022.

1. 
[signature]

Dolores Espinosa de Ortega

[print]

2. _____
[signature]

[print]

3. _____
[signature]

[print]

4. _____
[signature]

[print]

5. _____
[signature]

[print]

Attach additional pages if membership exceeds five.